GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Water Resources Dept. - Allegation of acquisition of assets disproportionate to the known sources of his legal income against Sri Dasaraju Subramanyam, Deputy Executive Engineer, I &CAD Dept., working on deputation in A.P. Health Medical Housing & Infrastructure Development Corporation, S.V. Medical College Campus, Tirupathi, Chittoor District - Departmental action initiated instead of prosecution – Departmental Inquiry conducted - Further action dropped – Orders – Issued.

WATER RESOURCES (VIG.I) DEPARTMENT

G.O.RT.No. 152 Dated: 27-03-2017

Read the following:-

1. From the Director General, Anti Corruption Bureau, A.P., Hyderabad Rc.No.170/RCA-TCT/2009,dt.28.12.2010.
2. G.O.Rt.No.716, I&CAD(Ser.VI(1)) Dept.,dt.14.07.2011.
3. Govt., Memo.No.16907/Ser.VI(1)/2009-5,dt.14.07.2011
4. From the Director General, Anti Corruption Bureau, A.P., Hyderabad Rc.No.178/RCA-TCT/2009,dt.4.07.2012.
5. G.O.Ms.No.802, I&CAD (Ser.VI(1)) Dept.,dt.13.07.2012.
6. Written statement of defense of Sri D. Subramanyam, DEE dt.12.09.2012.
7. Govt., Memo.No.16907/Ser.VI(1)/2009-12,dt.27.09.2012
8. Proc. No Rc/ENC/S1(4)/12717/2009, dt.09.11.2012 of the Engineer-in-Chief (AW), I&CAD, Hyd.,
9. Memo.No Rc/ENC/S1(4)/12717/2009, dt.13.12.2012 of the Engineer-in-Chief(AW), I&CAD, Hyd.,
10. Inquiry report from Sri T. Khagender, Inquiring Authority &Superintending Engineer, PJP Circle, Gadwal letter No.SE/PJP/EC.1/151/7, item, dt.13.6.2013.
11. Govt., Memo.No.16907/Ser.VI(1)/2009-16,dt.11/24.10.2013
12. Letter No.SE/PJP/EC.1/556/2, dt.19.12.2013 received from Sri T. Khagender, Inquiring Authority & Superintending Engineer, PJP Circle, Gadwal, Mahabubnagar District.

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ORDER:

In the reference 1st read above, the Director General, Anti Corruption Bureau, A.P., Hyderabad has stated that on credible information Sri Dasaraju Subramanyam, Deputy Executive Engineer, I &CAD Dept., working on deputation in A.P. Health Medical Housing & Infrastructure Development Corporation, S.V. Medical College Campus, Tirupathi, Chittoor District has acquired assets disproportionate to the known sources of his legal income, a case in Cr.No.08/RCA-TCT/2009 under Sec.13(2) r/w.13 (1) (e) of P.C. Act, 1988 was registered on 03.07.2009 and the investigation was taken up. Hence, the Director General, ACB has recommended prosecution in a court of law for the offences punishable u/s 13(2) r/w 13(1) (e) of the Prevention of Corruption Act, 1988 and Departmental action for major penalty for violation of Rule 9(1) & (7) r/w Rule 3 (1) & (2) of A.P.C.S. (Conduct) Rules, 1964.

2. In respect of departmental action for major penalty for violation of Rule 9(1) & (7) r/w Rule 3 (1) & (2) of A.P.C.S. (Conduct) Rules, 1964, article of charges were issued in the G.O.2nd read above and after following the due procedure, the case has been finalized by imposing a punishment of withholding of two annual grade increments without cumulative effect vide G.O.Rt.No.799, I&CAD (Ser.VI) Department, dated 08.08.2013.

3. In respect of prosecution in a court of law for the offences punishable u/s 13(2) r/w 13(1) (e) of the Prevention of Corruption Act, 1988, the issue has been examined and it has been decided to initiate departmental action instead of Prosecution against Sri Dasaraju Subramanyam, Deputy Executive Engineer, I &CAD Dept., working on deputation in A.P. Health Medical Housing & Infrastructure Development Corporation, S.V. Medical College Campus, Tirupathi, Chittoor District and accordingly the Director General, Anti Corruption Bureau, has been requested to furnish the draft Articles of Charges, Statement of Imputations etc., on the allegations of acquisition of assets disproportionate to the known sources of his legal income against the accused officer vide reference 3rd read above.

4. In reply, the Director General, Anti Corruption Bureau, has furnished the draft articles of charges, statement of Imputations etc., against Sri D.Subramanyam DEE and he has further stated that a petition was filed u/s.173 Cr.P.C. for closure of FIR in Cr.No.28/RCA-TCT/2009 in the Spl. Court for SPE& ACB Cases, Nellore. The Spl.Judge for

SPE&ACB Cases, Nellore allowed the petition filed by the ACB on 26.06.2012 vide RCS No.6/2012 and discharged the accused officer u/s 173 (4) Cr.P.C. vide reference 4th read above.

5. In the reference 5th read above, articles of charges were issued against Sri D. Subramanyam DEE. He has submitted his written statement of defence vide reference 6th read above.

6. Government have examined the written statement of defense of the charged officer Sri D. Subramanyam DEE, and since the same is not satisfactory and decided to institute an Inquiry into charges framed against him, accordingly, the Engineer-in-Chief (AWS), I&CAD Dept., has been requested to institute an inquiry into the charges framed against the accused officer in the reference 7th read above.

7. In the reference 8th read above, the Engineer-in-Chief (AW), I&CAD, has appointed Sri T. Khagender, Superintending Engineer, PJP Circle, Gadwal as the Inquiring Authority to inquire the charges framed against Sri D. Subramanyam and Sri D. Parthasarthi Reddy, Inspector of Police, ACB, Kadapa, Tirupati Range has been appointed as Presenting Officer in the reference 9th read above.

8. In the reference 10th read above, the Inquiring Authority in his finding has stated that the misconduct in the charge, possessing disproportionate assets worth of Rs.27,07,935/- to his known sources of legal income is not held proved.

9. After examining the above said inquiry report, in the reference 11th read above, the Inquiring Authority and Superintending Engineer, PJP Circle, Gadwal has been requested to offer his remarks on the points raised therein.

10. In reply, the Inquiring Authority and Superintending Engineer, PJP Circle, Gadwal has furnished his reply in the reference 12th read above.

11. After examining the same, in consultation with the Income Tax Department, Government of India, Tirupati, Engineer-in-Chief (AW), and Commissioner of Horticulture, Government of A.P., it has been decided to drop further action against Sri Dasaraju Subramanyam, Deputy Executive Engineer, I &CAD Dept., working on deputation in A.P. Health Medical Housing & Infrastructure Development Corporation, S.V. Medical College Campus, Tirupathi, Chittoor District.

12. Accordingly, Government hereby drop further action against Sri Dasaraju Subramanyam, Deputy Executive Engineer, I &CAD Dept., working on deputation in A.P. Health Medical Housing & Infrastructure Development Corporation, S.V. Medical College Campus, Tirupathi, Chittoor District.

13. The Engineer-in-Chief (AW) Water Resources Dept., Vijayawada / the Water Resources (Ser.I / Ser.II) Department shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
SECRETARY TO GOVERNMENT

To
Sri Dasaraju Subramanyam, Deputy Executive Engineer, I &CAD Dept.,
working on deputation in A.P. Health Medical Housing & Infrastructure
Development Corporation, S.V. Medical College Campus, Tirupathi, Chittoor District
through the Engineer-in-Chief (AW) Water Resources Dept., D.No.48-10-9/1,
NH Feeder Road, Currency Nagar, Ward-2-A, Ramavarappadu, **Vijayawada**.
2. The Engineer-in-Chief (AW), Water Resources Dept., D.No.48-10-9/1, NH Feeder Road,
Currency Nagar, Ward-2-A, Ramavarappadu, **Vijayawada**.
3. The Director General, Anti-Corruption Bureau, 2nd Floor, NTR Admn., Bhavan,
P.N.Bus Stand, A.P. Vijayawada.
4. The Vigilance Commissioner, A.P. Secretariat, Amaravathi.
5. The Water Resources (Ser.I /Ser.II) Dept., A.P. Secretariat, **Amaravathi.**
Sc/Sf.

// FORWARDED BY ORDER //

SECTION OFFICER